

SCOTT N. SCHOOLS (SCBN 9990)  
United States Attorney

BRIAN STRETCH (CSBN 163973)  
Chief, Criminal Division

DENISE MARIE BARTON (MABN 634052)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7359  
Facsimile: (415) 436-7234  
denise.barton@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR 07-218 JSW
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING TIME
v.	)	(Docket No. 31)
	)	
ERNESTO OSEGUERA-OCHOA aka	)	
JOSE ANDINO-OCHOA,	)	
	)	
Defendant.	)	
_____	)	

On September 20, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from September 20, 2007 through October 25, 2007 for effective preparation of counsel. Th parties represented that the time was properly excluded, taking into account the exercise of due diligence, given the

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requested appointment of advisory counsel and need for advisory counsel to review the pre-plea report. See 18 U.S.C. § 3161(h)(8)(B)(iv).

SO STIPULATED:

SCOTT N. SCHOOLS  
United States Attorney

DATED: October 26, 2007

/s/  
DENISE MARIE BARTON  
Assistant United States Attorney

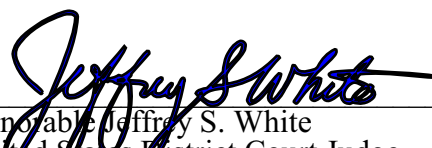
DATED: October 26, 2007

/s/  
RONALD C. TYLER  
Attorney for ERNESTO OSEGUERA-  
OCHOA

As the Court found on September 20, 2007, and for the reasons stated above, the Court finds good cause, taking into account the public interest in prompt disposition of criminal cases that time should be excluded from the Speedy Trial Act calculations from September 20, 2007 through October 25, 2007, 2007 for effective preparation of counsel. See 18 U.S.C. §3161(h)(8)(A)(iv). The failure to grant the requested continuance would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: November 6, 2007

  
Honorable Jeffrey S. White  
United States District Court Judge